

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 16, 1961
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem Palmer presiding.

Roll call:

Present: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Absent: Mayor Miller

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police.

Invocation was delivered by City Attorney, DOREN R. ESKEW.

MR. C. T. USELTON appeared before the Council, describing a 120 patient convalescent home, and displaying a lay-out of the project that is to be located on Avenue A, north of 46th Street. He stated the entire project would cost about a half million dollars. The Corporation constructing this convalescent or senior citizens home is asking that Guadalupe Street be opened all the way through the State property, and that the Council make formal request to the Legislature to have this portion of Guadalupe opened. Detailed discussion was held on this request. The Director of Public Works was asked to submit estimates on the city's cost of paving. The Mayor Pro-tem stated the Council would like to consider this further, and let Mr. Uselton know in the afternoon. Later on in the meeting, the Council considered the request again. The City Attorney explained that our Senator and three Representatives had asked ahead of the time of the convening of the Legislature about the needs of the city, so that they could get appropriations through. After making inquiry of all the departments of what each might need, the City Attorney reported to the Council, and to the representatives that there was no request to be made at this time. Councilman Bechtol moved that Mr. Uselton be informed that it will be impossible for the City to request the State to open Guadalupe at this time because of the unbudgeted city expenditure for this project. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON THE FOLLOWING THREE TRACTS OF LAND:
(A) A THROUGH TRACT OF LAND FRONTING 79 FEET ON THE WEST RIGHT-OF-WAY LINE OF RIO GRANDE STREET AND 39 FEET ON THE EAST RIGHT-OF-WAY LINE OF SALADO STREET, LOCALLY KNOWN AS 2704 (2624) RIO GRANDE STREET AND 2705 SALADO STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS;
(B) A TRACT OF LAND FRONTING 110 FEET ON THE WEST RIGHT-OF-WAY LINE OF RIO GRANDE STREET, LOCALLY KNOWN AS 2706-2708 (2710) RIO GRANDE STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND
(C) A TRACT OF LAND FRONTING 60 FEET ON THE EAST RIGHT-OF-WAY LINE OF SALADO STREET, LOCALLY KNOWN AS 2707 (2701) SALADO STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE RE-QUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

The City Manager submitted the following:

"March 14, 1961

"W. T. Williams, Jr., City Manager "Assessment Paving Contract Number 61-A-5

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, March 14, 1961 for the construction of approximately thirty-two blocks of pavement and accessories known as Assessment Paving Contract Number 61-A-5, consisting of 15 units.

J. W. Steelman, Inc.	\$70,697.59
Giesen & Latson Construction Co.	73,639.77
Lee Maners	77,246.94
Collins Construction Co. of Texas	83,829.51
McKown & Sons	84,187.52
Raymond Canion & Co.	84,339.60
Ed H. Page	85,355.10
City's Estimate	\$79,841.18

"I recommend that J. W. Steelman, Inc. with their bid of \$70,697.59 be awarded the contract for this project.

"s/ S. Reuben Rountree, Jr.
Director of Public Works"

Councilman White offered the following resolution and moved its adoption

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 14, 1961, for the construction of approximately thirty-two blocks of pavement and accessories known as Assessment Paving Contract Number 61-A-5, consisting of 15 units; and,

WHEREAS, the bid of J. W. Steelman, Inc. in the sum of \$70,697.59 was the lowest and best bid therefor; and the acceptance of such bid has been recommended by the Director of Public Works and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of J. W. Steelman, Inc., in the sum of \$70,697.59, be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized and directed to enter into a contract on behalf of the City with J. W. Steelman, Inc.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The City Manager submitted the following:

"March 14, 1961

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Bids were received until 2:00 P.M. Tuesday, March 14, 1961, at the Office of the Director of Water and Sewer Department, for the relocation of Water Mains along South Lamar between Barton Springs Road and Barton Skyway. The bids were then publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"Firm:</u>	<u>Amount</u>	<u>Working Days</u>
Austin Engineering Company	\$34,979.49	90
Walter W. Schmidt	35,322.10	85
Bland Construction Company	41,683.55	100
J. R. Barnes Engineering Company	43,138.30	90
Ford-Wagner Inc.	44,367.75	150
Glade Construction Company	46,861.20	90
Capital Construction Company	53,824.20	110
Fairey-Simons Company, Inc.	54,545.50	100

"It is recommended that the contract be awarded to Austin Engineering Company on their low bid of \$34,979.49 with 90 working days.

"Yours truly,

"s/ Victor R. Schmidt, Jr.
Superintendent Water Distribution
"s/ Albert R. Davis,
Director Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 14, 1961 for the relocation of Water Mains along South Lamar between Barton Springs Road and Barton Skyway; and

WHEREAS, the bid of Austin Engineering Company in the sum of \$34,979.49 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin Engineering Company, in the sum of \$34,979.49 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin Engineering Company.

The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into that certain Contract Number C 113-9-13, C 113-10-3 U 797 (4), U.S. Highway 290, Travis County, on behalf of the City of Austin with the State of Texas State Highway Commission, in accordance with the terms and provisions of the above indicated contract, a copy of which is attached to this resolution and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council.
(Widening South Lamar from Barton Springs Road to City Limits)

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE

COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A .M. ON THE 30th DAY OF MARCH, 1961, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Ann Arbor and sundry other streets)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the west side of Shirley Avenue as a private gasoline plant consisting of a 1,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Lone Star Company, and is Lot 12 A, Block E, Plaza Place, in the City of Austin, Travis County, Texas, and hereby authorizes the said Lone Star Company to operate a private gasoline plant consisting of a 1,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Lone Star Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 16, 1961

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Lone Star Company, by their agent, M. A. Lentz, for permission to operate a private gasoline plant consisting of a 1,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the west side of Shirley Avenue, which property is designated as Lot 12A, Block E, Plaza Place in the City of Austin, Travis County, Texas, and locally known as 6910 Shirley Avenue.

"This property is located in a D Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,

"s/ Dick T. Jordan
Building Official"

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the south side of East 12 Street as a private gasoline plant consisting of a 1,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Phillips Lawn Service and is Lot 2, Clarence Flornoy Addition, of the City of Austin, Travis County, Texas, and hereby authorizes the said Rev. H. I. Phillips to operate a private gasoline plant consisting of a 1,000 gallon underground tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Phillips Lawn Service has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 16, 1961

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Phillips Lawn Service, by their agent, Rev. H. I. Phillips, for permission to operate a private gasoline plant consisting of a 1,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of E. 12th Street, which property is designated as Lot 2, Clarence Floronoy Addition in the City of Austin, Travis County, Texas, and locally known as 2703 East 12 Street.

"This property is located in a General Retail District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,

"s/ Dick T. Jordan
Building Official"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the east side of Manchaca Road as a private gasoline plant consisting of a 1,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Acme Roofing Company, and is the Gayle Wright 1.58 acre tract of the City of Austin, Travis County, Texas, and hereby authorizes the said Acme Roofing Company to operate a private gasoline plant consisting of a 1,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Acme Roofing Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 14, 1961

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Acme Roofing Company, by their agent, Sam Balke, for permission to operate a private gasoline plant consisting of a 1,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the east side of Manchaca Road, which property is designated as the Gayle Wright 1.58 acre tract in the City of Austin, Travis County, Texas, and locally known as 2807 Manchaca Road.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,

"s/ Dick T. Jordan
Building Official"

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL, 5,944 SQUARE FEET OF LAND, SAME BEING OUT OF AND A PART OF NORTHCREST BOULEVARD, A STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RETAINING AN EASEMENT TEN (10) FEET IN WIDTH IN, UPON AND ACROSS THE WEST TEN FEET, FOR PUBLIC UTILITY PURPOSES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument dated May 21, 1954, of record in Volume 1453, at page 58 of the Deed Records of Travis County, Texas, the City of Austin was granted a water line easement thirteen (13) feet in width, same being out of and a part of the Daniel J. Gilbert Survey, in the City of Austin, Travis County, Texas; and,

WHEREAS, the City Council of the City of Austin has determined that such water line easement is not now needed and will not be needed in the future EXCEPT where it lies to the east of the west line of Pecos Street and where it lies to the north of the south line of River Road; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby duly authorized to release all of the hereinafter described 13 ft. wide water line easement, SAVE and EXCEPT, however, that portion which lies to the north of the south line of, and within the confines of dedicated River Road in the City of Austin, Travis County, Texas, and also SAVE and EXCEPT that portion of the hereinafter described 13 ft. wide water line easement which lies to the east of the west line of dedicated Pecos Street and within the confines of dedicated Pecos Street, in the City of Austin, Texas; said 13 ft. wide water line easement, including the hereinabove described areas to be excepted from the release, is more particularly described by metes and bounds as follows:

A strip of land thirteen (13) feet in width same being out of and a part of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, which certain strip of land thirteen (13) feet in width is described in an instrument dated May 21, 1954, of record in Volume 1453 at page 58 of the Deed Records of Travis County, Texas, the centerline of the strip of land thirteen (13) feet in width being more particularly described as follows:

BEGINNING at a point in the south line of that certain tract of land conveyed to Alfred E. Noack by Deed of Record in Volume 365, page 131 of the Deed Records of Travis County, Texas and from which point of beginning a concrete monument at the southwest corner of the said Noack tract of land bears N 60° 27' W 817.50 feet, said point of beginning being the point of curvature of a curve whose intersection angle is 35° 00', whose tangent distance is 27.64 feet, and whose radius is 87.65 feet;

THENCE, following said curving line to the right an arc distance of 53.54 feet, the long chord of which arc bears N 47° 03' E 52.71 feet to the point of reverse curvature between the aforementioned curve and a curve to the left having an intersection angle of 70° 30', a tangent distance of 60.30 feet, and a radius of 85.32 feet;

THENCE, following said curving line to the left an arc distance of 104.98 feet, the long chord of which arc bears N 29° 18' E 98.48 feet to the point of tangency of said curve;

THENCE, N 5° 57' W 102.35 feet to a point;

THENCE, N 52° 32' W 200.23 feet to the point of curvature of a curve having an intersection angle of 17° 30', a tangent distance of 101.69 feet, and a radius of 660.72 feet;

THENCE, following said curving line to the right an arc distance of 201.80 feet, the long chord of which arc bears N 43° 47' W 201.02 feet to the point of compound curvature between the aforementioned curve and a curve to the right having an intersection angle of 32° 30', a tangent distance of 62.68 feet, and radius of 215.04 feet;

THENCE, following said curving line to the right an arc distance of 121.98 feet; the long chord of which arc bears N 18° 47' W 120.35 feet to the point of tangency of said curve;

THENCE, N 2° 32' W 50.00 feet to the point of curvature of a curve having an intersection angle of 36° 15', a tangent distance of 70.76 feet, and a radius of 216.17 feet;

THENCE, following said curving line to the left an arc distance of 136.77 feet, the long chord of which arc bears N 20° 39' W 134.50 feet to the point of tangency of said curve;

THENCE, N 38° 46' W 60.36 feet to the point of curvature of a curve having an intersection angle of 16° 41', a tangent distance of 58.10 feet, and a radius of 396.24 feet;

THENCE, following said curving line to the left an arc distance of 115.38 feet, the long chord of which arc bears N 47° 07' W 114.97 feet to the point of termination at the point of tangency of said curve, said point of termination being in the west line of the said Noack tract, and from which point of termination a concrete monument at the northwest corner of the said Noack tract bears N 28° 58' E 169.32 feet.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Councilman Perry moved that the Council grant DR. TOM CALDWELL two tree spaces in the west sidewalk area of South Congress Avenue south from West Milton Street, 4' x 4', in accordance with the ordinance. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Mayor Pro-tem Palmer brought up the following ordinance for its second reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NELSON PUETT, JR.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the second time and Councilman Perry moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Pro-tem Palmer
Noes: Councilman Bechtol
Absent: Mayor Miller

MR. WAYNE BURNS came before the Council and stated he had constructed a house $3\frac{1}{2}$ ' over in the drainage easement, and asked the Council to vacate a portion of the easement. Mayor Pro-tem Palmer stated this would be referred to the Public Works Department to channel through the various departments. MR. BURNS stated he would be glad to assume any liability and pay for any damages to indemnify the city. Later in the meeting the Director of Public Works reported that this drainage easement release had been cleared with all the Departments. Discussion of including Mr. Burns' agreement in an instrument to be put on record was held. Mayor Pro-tem Palmer asked if it could be stated in the instrument that the City assumed no liability or no responsibility for anything that may happen to the house as a result of that drainage pipe being in place; and that the City would be held free of any liability. Councilman Bechtol moved that subject to the release from MR. WAYNE BURNS of building on the City's easement, that the vacation of the $3\frac{1}{2}$ ' strip be allowed in Garden Oaks. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Assistant City Manager submitted the request of FATHER HOOKS, Guadalupe Church, for permission to hold a fund raising dance to support their school, on Sunday, April 2nd, Easter Sunday, at the full rate of pay. Councilman White moved that the request be granted. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Director of Aviation announced plans for changing the dedication date of the new Air Terminal from April 22nd until May 13th, at which time everything would be ready and the building would be occupied and be in operation. Councilman White moved that the Council set May 13th as the dedication day for the Terminal Building and Airport facilities. The motion, seconded by Councilman Bechtol carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Director of Aviation made a report on a recommendation on the Bureau's Counsel of the C.A.A. that CONTINENTAL might be withdrawn from the Austin operation, and stated that the City was protesting that vigorously. He said there was still a possibility of retaining the service we have and obtain additional services over that same route. He described the type of equipment that would be used if Continental was withdrawn. The Director of Aviation stated he had already gone through the C.A.P., and outlined what should be done next. The Mayor Pro-tem thanked COLONEL MURPHY and stated the Council would do what had to be done.

The Council discussed the purchase of property just west of the Hospital. Councilman White moved that the Council authorize the City Manager to continue negotiations with Mr. Lucksinger for this property, his keeping the house. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Bechtol

The City Attorney stated that several months ago MR. NELSON PUETT, JR. gave a little lot north of the sand beach reserve and adjacent to the Railroad Track to the City; and at the time, he expressed a desire if the old improvements were not to be used, he would like to see them removed and given to MR. CHESTER BURATTI. The Council had indicated that this would probably be what it would do should there be no use for the improvements. No disposition was made, and the City Attorney stated that Mr. Buratti would remove the improvements if he were allowed to do so, and that he would need a bill of sale. Councilman Perry moved that the City Manager be authorized to sign a bill of sale to Mr. Chester C. Buratti, for the improvements on this lot (O/L 1, Div. "Z"). The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

Mayor Pro-tem PALMER asked about the plans for a City of Austin Service Center, and the appeal of Milton Turner. The Director of Public Works made a report. The Mayor Pro-tem stated at this moment, the matter had not been resolved, and that it would be kept on the pending list.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

MR. EUGENE REEDER asked permission to paint house numbers on curbs in front of houses. He stated he would not paint any numbers until he had the permission of the property owners, and that this was purely a business venture; that there would be only one or two helping him; that he would not be soliciting business stating he was working his way through school. The Director of Public Works stated his Department was constantly changing house numbers. No action was taken at this time.

MR. FISHER, Yellow Cab Co. of Austin, Inc., and Checker Cab Co., of Austin, passed out statements showing operating expenses and comparisons. Councilman Bechtol stated the Council had gone over these figures. Finally, after discussing these figures in detail, the Council asked Mr. FISHER to submit a list of vehicles operating in 1959 and 1960, the date of purchase, the amount paid; and if not now in operation, when each was retired and what it was sold for. Mayor Pro-tem Palmer asked that also a depreciation schedule be furnished. The City Manager stated the Council would be interested, not in the depreciation of a vehicle, but the amount of depreciation on a whole fleet, and what method was used to arrive at the figure. It was agreed that this information could be submitted as of September 30, 1960.

MR. TOM BROWN, Southwestern Bell Telephone Company, introduced MR. R. H. GLENN, General Advertising Supervisor, St. Louis; and MR. JADA DAVIS, Public Relations Manager, Houston. MR. GLENN stated it was planned to run a bill insert which would concern Austin and what Austin offered people, what its attractions were, and why people like to live here. Also, he said he intended to make a survey to see how many people read these inserts that are being mailed out. He had discussed the matter with the Chamber of Commerce to get its ideas on what might be listed, and he wanted the Council members to make statements. MAYOR PRO-TEM PALMER thanked Mr. Glenn for his generous offer and pointed out the many advantages that Austin has that would attract industry--a good year-round climate; the availability of the University research work in electronics, plastics, etc.; the recreational facilities of the City; and the willingness of the local government to do everything it can in the way of attracting light industry to Austin. COUNCILMAN WHITE added that there was plenty of water and electrical power that would support industry. COUNCILMAN PERRY noted the historical interests of the City. COUNCILMAN BECHTOL stated Austin was leading the cities in the nation on trades and associational headquarters, and that was due to its central location in Texas; Austin was the seat of the State government, and has the great University--these in addition to the tourist attractions. He pointed out that Austin is becoming the Conventional Center, and it has a great deal to look forward to, and it will continue to make use of its many assets. Mayor Pro-tem Palmer thanked Mr. Brown, Mr. Glenn and Mr. Davis for their interests.

The Council received a petition asking that such drainage work as is necessary to prevent the flooding of their homes and property along Boggy Creek

during rainy weather be done. The Council discussed this problem at length. It was estimated it would cost several hundred thousands of dollars to remedy the situation in this area just for a few; but that amount would not begin to take care of Boggy Creek drainage. The City Manager stated some of the areas could be relieved; but as they were taken care of, further damage on down in the areas would be created. He stated in some isolated spots the City could make use of those lands at some future date, and it would be better to buy that land than to try to clean out the creek. Mayor Pro-tem Palmer hoped that maybe some of the work could be done, and a little relief be given by enlarging a storm sewer. He stated the major problem was draining the whole Govalle area. Councilman Bechtol suggested telling these people that it was not economically feasible for the city to spend the money necessary to provide adequate drainage for this area; however, it would endeavor to spend what money it could out of its present budget to relieve the situation. Councilman White noted that there were subdivisions being opened all over town that had ditches--one in particular --within 6' of the house. He asked if there was some way to prevent that. Councilman Bechtol suggested that the City zone all of the flood areas and mark what kind of structures that would be allowed in that area. He said this was a recommendation made to the Council 15 years ago.

The City Manager submitted the following:

"Bid No. 9073X

Sealed bids opened 2:00 P.M., Feb. 17, 1961

Tabulated by: O.G. Brush, Purchasing Agent

"CITY OF AUSTIN
BIDS FOR
THREE WHEEL ROLLER
PUBLIC WORKS - STREET AND BRIDGE

	Acme Iron Works	Roy Klossner Company	Jess McNeel Company	Girard Mch. & Supply
8-10 Ton 3 Wheel 1 ea. Roller per City Specs.	\$10,900.00	\$10,485.00	\$12,000.00	\$11,900.00
Trade-In E-150 1 ea. 1953 Ingram 10 ton Roller	5,300.00	4,785.00	3,878.00	2,264.00
Difference	5,600.00	5,700.00	8,122.00	9,636.00
Less cash discount	Net 2%	114.00	Net	Net
Net Difference	\$5,600.00	<u>\$5,586.00</u>	\$8,122.00	\$9,636.00
Manufacturer	Ingram W/GM Motor	B. M. Co.	Gallion	Austin- Western
	Alamo Iron Works	Cooper Eqt. Co.	Ingram Eqt. Co.	Lanford Equip. Company
	No Bid	No Bid	No Bid	No Bid

"RECOMMENDATION: Mr. E. I. Purser of the Public Works Department-Supt. of Street and Bridge Division checked the bids and specifications and it is recommended that low bidder, Roy Klossner be awarded order.

" W. T. Williams, Jr. City Manager"

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 17, 1961, for the purchase of one 8-10 Ton 3 Wheel Roller; to be used by the Street and Bridge Department of the City of Austin; and,

WHEREAS, the bid of Roy Klossner Company in the sum of \$5,586.00 and one trade-in was the lowest and best bid therefor; and the acceptance of such bid has been recommended by the Superintendent of Street and Bridge Division and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Roy Klossner Company in the sum of \$5,586.00 and one trade-in be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to enter on behalf of the City, a contract with Roy Klossner Company.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The Council had a request for vacating a portion of West 49th Street from Shoal Creek Boulevard to Shoal Creek. The Council discussed this at length. The City Manager pointed out the problem of a property owner who was rebuilding his house after an explosion, and who did not have the necessary set-back. He is now six feet from the property line and he will have to be ten feet. It was suggested that MR. FORRESTER, the one requesting this street vacation, appear before the Board of Adjustment for a variance; and if the Board was not scheduled to have its meeting at an early date, that maybe it would call a special meeting to act on this. No action was taken on the ordinance to vacate this portion of West 49th Street, pending decision of the Board of Adjustment.

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE RE-ENACTING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING VOTING PRECINCTS OF THE CITY OF AUSTIN AND FIXING THE BOUNDARIES THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING

AN EMERGENCY", PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON JULY 23, 1953, AND RECORDED IN BOOK "S" AT PAGES 432-449, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, AS HERETOFORE AMENDED; AND DECLARING AND EMERGENCY.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

The Council considered the request of the AUSTIN NATIONAL BANK for a building line on the north side of East 5th Street east from Congress Avenue, the line to be in line with the south faces of the columns in the portion of the building where they have their drive-in on the east side of the alley. The City Manager went over their request, and the Director of Public Works displayed a plat showing the various lines. The Council discussed this in detail, and wanted to make a personal inspection of the site. Later in the meeting, Councilman Bechtol moved that the Council approve the building line as asked for by the AUSTIN NATIONAL BANK. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

There being no further business, Councilman Bechtol moved that the Council adjourn. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Council adjourned at 5:15 P.M. subject to the call of the Mayor.

APPROVED

Lucretia E. Palmer
Mayor Pro-tem

ATTEST:

Edna Massey
City Clerk